

# Notice of Allowability

Application No.

09/963,659

Examiner

Kevin Schubert

Applicant(s)

TEBLYASHKIN ET AL.

Art Unit

2137

## -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 5/10/06.
2. ☒ The allowed claim(s) is/are 1,2,4,5,7,12-14,16,17,19,24-26,28,29,31 and 36-39.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All b) ☐ Some\* c) ☐ None of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
  - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

### Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date \_\_\_\_\_
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_.

**DETAILED ACTION**

Claims 1-2,4-5,7,12-14,16-17,19,24-26,28-29,31, and 36-39 have been considered. Examiner notes that the Drawing and the amendment to the Specification, submitted 5/10/06, have both been considered and are acceptable.

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***Allowable Subject Matter***

Applicant's arguments, submitted 5/10/06, with respect to claim 1 et al have been fully considered, and they are persuasive. More specifically, Applicant argues that the combination of Yann in view of Risch in further view of Chambers does not meet Applicant's claimed limitations regarding the dependency table. Examiner previously relied on Yann's description of register/flag states coupled with Risch's teaching of a dependence table to meet Applicant's claimed limitations regarding the dependence table. While Examiner maintains that the combination previously cited is appropriate to teach a dependence table per se, Examiner agrees with Applicant that such combination does not rise to the level of specificity of Applicant's claimed language in light of the amendments submitted 5/10/06. Specifically, Examiner believes the limitations "wherein said analysis logic includes an initialisation table indicating which state variables have been initialised; wherein said dependence table includes a column for each register within a processor, an external write, and a write to a flag value; and a plurality of rows with each row corresponding to a value loaded into said computer that influences a state of said computer; wherein said initialisation table includes a column for each register within said processor indicating whether each register is initialised" to define over the cited prior art.

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Moreover, a search in the prior art fails to reveal that it would have been obvious to one of ordinary skill in the art at the time the invention was filed to create a dependency table in such a fashion. For at least this reason, Examiner submits that the instant invention, as claimed, is patentably distinct over the prior art.

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***Conclusion***

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kevin Schubert whose telephone number is (571) 272-4239. The examiner can normally be reached on M-F 7:30-6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor,  
5 Emmanuel Moise can be reached on (571) 272-3865. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through  
10 Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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EMMANUEL L. MOISE  
SUPERVISORY PATENT EXAMINER